IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRIT No. 5948 of 2007

MR. RATNI & ORS.
V/S
A.D.J. NO.1, CHITTORGARH & ORS.

Mr. PRADEEP CHOUDHARY for Mr. JS CHOUDHARY, for the appellant / petitioner

Date of Order : 20.9.2007

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the petitioner.

Perused the impugned orders.

The learned courts below have granted the injunction only to the effect of restraining the petitioner from in any manner alienating the property in question. The suit has been filed for cancellation of sale deed. In such circumstances, even in absence of any such injunction, if the petitioner were to alienate the property that could have been effected by the doctrine of lis pendence. In such circumstances, when this injunction has been granted, no fault can be found in it.

The writ petition is, therefore, dismissed summarily.

(N P GUPTA),J.

/sushil/